

United States Court of Appeals

Eleventh Circuit
56 Forsyth Street, N.W.
Atlanta, Georgia 30303

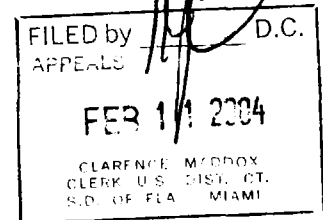
Thomas K. Kahn
Clerk

February 04, 2004

Clarence Maddox
Clerk, U.S. District Court
301 N. Miami Avenue
Miami FL 33128

RE: 03-16350-AA ^{STB} USA v. Ariel Hernandez
DC DKT NO.: 00-06273 CR-PCH

In Replying Give Number
Of Case And Names of Parties



The enclosed certified copy of the Clerk's Entry of Dismissal for failure to prosecute in the above referenced appeal is issued as the mandate of this court. Pursuant to 11th Cir. R. 42-2(c) and 42-3(c), when the appellant fails to timely file or correct a brief or record excerpts, the appeal shall be treated as dismissed on the first business day following the due date. This appeal was treated as dismissed on January 27, 2004.

Counsel and pro se parties are advised that pursuant to Fed.R.App.P. 25(a)(2)(A), a motion to set aside the dismissal and remedy the default "is not timely unless the clerk receives the papers within the time fixed for filing."

The district court clerk is requested to acknowledge receipt on the copy of this letter enclosed to the clerk.

Sincerely,

THOMAS K. KAHN, Clerk

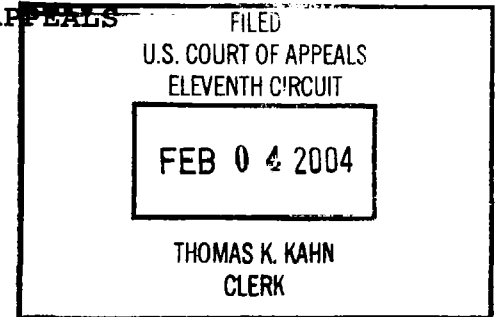
Reply To: Shirley M. Brown (404) 335-6170

Encl.

670
H.H.

IN THE UNITED STATES COURT OF APPEALS
FOR THE ELEVENTH CIRCUIT

No. 03-16350-AA



UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

ARIEL HERNANDEZ,

Defendant-Appellant.

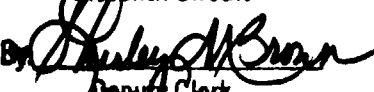
On Appeal from the United States District Court for the
Southern District of Florida


ENTRY OF DISMISSAL

Pursuant to 11th Cir.R. 42-2(c), this appeal is hereby dismissed for want of prosecution because the appellant has failed to file the appellant's brief and record excerpts within the time fixed by the rules, effective this 4th day of February, 2004.

THOMAS K. KAHN
Clerk of the United States Court
of Appeals for the Eleventh Circuit

A True Copy - Attested
Clerk, U.S. Court of Appeals
Eleventh Circuit

By: 
Deputy Clerk
Atlanta, Georgia

By: Shirley M. Brown 
Deputy Clerk

FOR THE COURT - BY DIRECTION